

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:04-00004

TREMAIN STRAUGHTER

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER
MEMORANDUM OPINION AND ORDER

On February 1, 2011, the United States of America appeared by Meredith R. George, Assistant United States Attorney, and the defendant, Tremain Straughter, appeared in person and by his counsel, Lex A. Coleman, Assistant Federal Public Defender, for a hearing on the petition on supervised release submitted by United States Probation Officer Winifred R. Staats, the defendant having commenced a three-year term of supervised release in this action on March 12, 2008, as more fully set forth in the Judgment Including Sentence Under the Sentencing Reform Act entered by the court on September 6, 2005.

The court heard the evidence, admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found that the defendant has violated the conditions of supervised release in the following respect: that the defendant violated the special condition that he reside at Transitions, Inc. and abide by the rules and regulations of the facility until expiration of his supervised release term on March 11, 2011, inasmuch as the defendant was admitted to the facility on August 9, 2010, and was terminated on December 27, 2010, for violating the rules and regulations in that on December 23, 2010, he was unaccountable during an eleven hour period as set forth in the Violation Report read into the record by the court which is hereby incorporated by reference; as set forth in the petition on supervised release.

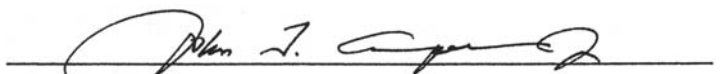
And the court finding, as more fully set forth on the record of the hearing, that the violation warrants revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violation if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, on the basis of the original offense, the intervening conduct of the defendant and after considering the factors set forth in 18 U.S.C. § 3553(a), that the defendant is in need of correctional treatment which can most effectively be provided if he is confined, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of SIX (6) MONTHS, to be followed by a term of THIRTY (30) MONTHS upon the standard conditions of supervised release now in effect in this district by order entered June 22, 2007, and the further condition that the defendant not commit another federal, state or local crime.

The defendant was remanded to the custody of the United States Marshal.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: February 3, 2011


John T. Copenhaver, Jr.
United States District Judge

